

Before the Board of Supervisors
County of Placer, State of California

In the matter of:

Ordinance No.: 6001-B

An Ordinance Amending
Chapter 15, Articles 15.04, 15.28, 15.30, 15.34,
15.36, and 15.65 Related to Accessory and Junior
Accessory Dwelling Units

The following ordinance was duly passed by the Board of Supervisors of the County of
Placer at a regular meeting held on January 14, 2020, by the following vote:

Ayes: WEYGANDT, HOLMES, UHLER, GUSTAFSON, GORE
Noes: NONE
Absent: NONE

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest:

Clerk of said Board

WHEREAS, in 2019, the California Legislature passed and the Governor signed into law several housing-related bills which went into effect on January 1, 2020; and

WHEREAS, among those are Senate Bill 13 and Assembly Bills 68 and 881, which require changes to County ordinances related to the permitting, regulating, and the calculation and collection of development impact fees for accessory and junior accessory dwelling units; and

WHEREAS, changes for clarity and consistency with state law were codified in Chapter 15, Articles 15.04 (Building and Construction Codes Adopted), 15.28 (County Road Network), 15.30 (Public Facilities Fees), 15.34 (Parks and Recreational Facilities Fees), 15.36 (Development Fees for Fire Protection), and 15.65 (Affordable Housing); and

WHEREAS, these changes include development impact fee exemptions for accessory and junior accessory dwelling units under 750 square feet in size and a proportionate development impact fee adjustment for accessory and junior accessory dwelling units 750 square feet or more in size; and

WHEREAS, the above action is exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines sections 15061(b), 15301, 15303 and 15305; and

WHEREAS, the public hearing to consider adoption of this ordinance was noticed in compliance with State law and the Placer County Code.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Chapter 15, Article 15.04, Section 15.04.090 is amended as follows:

15.04.090 Fees.

Section 109 - Fees. Add the following subsection to Section 109.2 of the CBC:

Section 109.2.1 - Permit fee exemption/or deed-restricted second accessory and junior accessory dwelling units.

In the case where a property owner voluntarily opts to deed restrict a secondary dwelling unit for affordability, said unit is exempt from payment of processing, plan check, inspection and building permit fees. Deed restricted secondary dwelling units are secondary dwelling units that are restricted for affordability as verified in writing by the planning division. To qualify for this exemption, the written verification and a copy of the recorded deed restriction required under Placer County Code, Chapter 17, Article 17.56, Section 17.56.200(H), must be provided to the building services division prior to issuance of any permits required under this article.

To qualify for fee exemption under this section, an accessory or junior accessory dwelling unit must be restricted for affordability as verified by the county housing specialist and in accordance with current State Department of Housing and Community Development requirements, as provided under Placer County Code, Chapter 17, Article 17.56, Section 17.56.200. Verification of deed restriction must be rendered in writing from the planning division to the building services division prior to the issuance of any permits. Deed restriction under this section exempts the unit from processing, plan check, inspection, and building permit fees.

SECTION 2. Chapter 15, Article 15.28, Sections 15.28.020 and 15.28.030 are amended as follows:

15.28.020 Definitions.

"Accessory Dwelling Unit" and "Junior Accessory Dwelling Unit" have the same meanings as defined in the California Government Code.

"Exempted development" means changes of land use or construction from which no additional dwelling units are created and no additional PM peak-hour usage of the road network

square footage of the primary dwelling. Accessory and junior accessory dwelling units less than 750 (seven hundred fifty) square feet are not subject to fees under this section.

SECTION 4. Chapter 15, Article 15.34, Sections 15.34.030 and 15.34.060 are amended as follows:

15.34.030 Definitions.

“Accessory Dwelling Unit” and “Junior Accessory Dwelling Unit” have the same meanings as defined in the California Government Code.

15.34.060 Fee payment.

H. Exemptions for Deed-Restricted Secondary Accessory and Junior Accessory Dwelling Units. Accessory or junior accessory dwelling units that are deed-restricted for affordability as provided under Placer County Code, Chapter 17, Article 17.56, Section 17.56.200 are exempt from processing, plan check, inspection, and building permit fees. Verification of deed restriction must be rendered in writing from the planning division to the building services division prior to the issuance of any permits.

~~In the case where a property owner voluntarily opts to deed restrict a secondary dwelling unit for affordability, said unit is exempt from payment of fees established in this article. Deed-restricted secondary dwelling units are secondary dwelling units that are restricted for affordability as verified by the county housing specialist and in accordance with current State Department of Housing and Community Development requirements. Said verification must be rendered in writing prior to exemption from fees.~~

I. The fees charged to accessory and junior accessory dwelling units of 750 (seven hundred fifty) square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling. Accessory and junior accessory dwelling units less than 750 (seven hundred fifty) square feet are not subject to fees under this section.

SECTION 5. Chapter 15, Article 15.36, Section 15.36.010 is amended as follows:

15.36.010 Development fees.

D. The fees charged to accessory and junior accessory dwelling units of 750 (seven hundred fifty) square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling. Accessory and junior accessory dwelling units less than 750 (seven hundred fifty) square feet are not subject to fees under this section. “Accessory Dwelling Unit” and “Junior Accessory Dwelling Unit” have the same meanings as defined in the California Government Code.

SECTION 6. Chapter 15, Article 15.65, Section 15.65.140 is amended as follows:

15.65.140 Affordable housing incentives.

B. Deed-Restricted Secondary Accessory or Junior Accessory Dwelling Units. Accessory or junior accessory dwelling units that are deed-restricted for affordability as provided under Placer County Code, Chapter 17, Article 17.56, Section 17.56.200 are exempt from processing, plan check, inspection, and building permit fees. Verification of deed restriction must be rendered in writing from the planning division to the building services division prior to the issuance of any permits.

~~In the case where a property owner voluntarily opts to deed restrict a secondary dwelling unit for affordability, said unit shall be exempt from payment of building permit fees and those fees identified in Articles 15.28 and 15.34. Deed restricted secondary dwelling units are secondary dwelling units that are restricted for affordability as verified by the county housing specialist and in accordance with current State Department of Housing and Community Development requirements. Said verification must be rendered in writing prior to exemption from fees.~~

SECTION 7. This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with Government Code section 25124.